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# UNITED STATES DISTRICT COURT

## Eastern District of Arkansas

UNITED STATES OF AMERICA

V.

CALVIN BLAIR

Case Number: 4:06-CR-00043-01-BRW

USM Number:

**Date of Original Judgment:** June 30, 2008  
(Or Date of Last Amended Judgment)

Latrece Gray  
Defendant's Attorney

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Upon motion of  the defendant  the Director of the Bureau of Prisons  the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

**IT IS ORDERED** that the motion is:

DENIED.

**X** GRANTED and the defendant's previously imposed sentence of imprisonment of 86 months **is reduced to 69 months.**

### I. COURT DETERMINATION OF GUIDELINE RANGE

Previous Offense Level(Before Departure/Variance/Rule 35):

31

Amended Offense Level:

29

Criminal History Category:

III

Criminal History Category:

III

Previous Guideline Range:

135 to 168 months

Amended Guideline Range:

108 to 135 months

### II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

The reduced sentence is within the amended guideline range.  
**X** The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.  
 Other (specify) \_\_\_\_\_.

### III. FURTHER EXPLANATION (e.g., recommendations to the Bureau of Prisons) (if necessary)

The Order is effective immediately on November 1, 2011, if Congress does not override the United Sentencing Commission's determination that the new guidelines are retroactive. If Congress determines that the amendments are not retroactive, this Order will be void and vacated.

Except as provided above, all provisions of the judgment dated March 16, 2007 will remain in effect.

**IT IS SO ORDERED.**

Order Date: October 27, 2011

/s/ Billy Roy Wilson

United States District Judge

Effective Date (if delayed): November 1, 2011